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**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

<b>LISA S. BLACK,</b>	)	<b>CIVIL ACTION NO. 05-0038</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>DEFENDANT CNMI PUBLIC</b>
	)	<b>SCHOOL SYSTEM (PSS) MOTION</b>
<b>JIM BREWER, individually and in his</b>	)	<b>FOR JUDGMENT AS A MATTER OF</b>
<b>official capacity as Acting Principal for</b>	)	<b>LAW</b>
<b>Hopwood Junior High School,</b>	)	
<b>COMMONWEALTH OF THE NORTHERN</b>	)	
<b>MARIANA ISLANDS PUBLIC SCHOOL</b>	)	<b>Judge Hatter</b>
<b>SYSTEM, and JOHN AND/OR JANE DOE,</b>	)	<b>February 22, 2007</b>
	)	
<b>Defendants.</b>	)	

**DEFENDANT'S NOTICE AND MOTION FOR  
JUDGMENT AS A MATTER OF LAW**

1 Defendants Commonwealth of the Northern Mariana Islands, CNMI Public School  
2 System, and Jim Brewer ask this court to render judgment in its favor, as authorized by the  
3 Federal Rules of Civil Procedure 50(a). Fed. R. Civ. P 50 (a) (1) states: If during a trial by jury  
4 a party has been fully heard on an issue and there is no legally sufficient evidentiary basis for a  
5 reasonable jury to find for that party on that issue, the court may determine the issue against  
6 that party and may grant a motion for judgment as a matter of law against that party with  
7 respect to a claim or defense that cannot under the controlling law be maintained or defeated  
8 without a favorable finding on that issue. Plaintiff has not her burden as described in the  
9 accompanying Memorandum in Support of Motion for Judgment as a Matter of Law. There  
10 are no controverted issues of fact on which reasonable persons could differ. *Powers v. Bayliner*  
11 *Mar. Corp.*, 83 F. 3d 789, 796 (6<sup>th</sup> Cir. 1996), thus Defendants request this court grant the  
12 motion and render judgment for Defendants.  
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15 Respectfully submitted this 22<sup>nd</sup> of February 2007 by:  
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18 \_\_\_\_\_/s/\_\_\_\_\_  
19 Karen M. Klaver F0241  
20 Heather L. Kennedy F0246  
21 Attorneys for the Public School System  
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